

**BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 5TH FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007**

Subject	Consumer Grievances Complaint No.MG-II-65-2014.14
Complainant	Memunaben Yakubbhai Vahora, Aabad Poultry Farm NH No.8, Gamdi C 56483, Anand
Respondent	Shri H M Prajapati, Deputy Engineer, Sardar s/dn of MGVCL
Date of hearing	26.09.2014 at Vadodara

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Harsha S Chauhan, Vadodara
Technical Member	Medha M Marathe, MGVCL

The complaint dated 19.09.14 regarding extension of load with NA.

On 26.09.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Yakubbhai Vahora (husband of complainant), Mohammadrafiq Yakubbhai Vahora & Muktarahmed Yakubbhai Vahora (son of complainant), appeared whereas Shri H M Prajapati, Deputy Engineer, Sardar s/dn appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are as under:

1. At present 3 phase connection of 15 KW load is existing for poultry farm located in agricultural land.
2. Complainant had applied for additional load of 42KW which is not being registered by MGVCL for want of Non-Agricultural (NA) permission.
3. Connection is existing since last 8 years from 11 KV Nilkanth urban feeder & as per Government Resolution, NA permission is not required for poultry farm.
4. MGVCL has refused to give additional load to existing connection unless land is converted into non-agricultural land.
5. Complainant has requested the Forum to consider their additional load demand for her poultry farm as NA permission is not required for poultry farm activity and requested to the MGVCL to take needful action.

The complainant contended that atmospheric heat is increasing so they required to provide cooling system. Moreover, they are expanding their poultry activities so they require higher vij load. They applied for the same to the MGVCL but MGVCL has asked them to convert agricultural land to non-agricultural land if they require additional load. Anand, Vidhyanagar, Karamsad urban development authority "AVKUDA" has covered 33 villages in which their village Gamdi is also included. Since last 2 years "AVKUDA" had not given any NA permission so they will not get NA permission. They further contended that as per circular of Revenue Department, Government of Gujarat, Gandhinagar, Poultry Farm activity is allowed in agricultural land and need not to convert it in non-agricultural land so MGVCL should consider to release their additional load demad.

The respondent contended that based on government policy and GUVNL Circular No.327 dated 21.09.2012, MGVCL has issued Circular No.9 dated 23.12.2012 and letter No.MGVCL:SE(Tech:904 dated 28.02.2013 that for Poultry Farm activity, single phase connection upto 3 KW load can be released in agricultural land and in such cases, non-agricultural permission is not required. The complainant's demand is for more than 3 KW load. 24 hrs single phase power supply in Agriculture land is being catered through specially designed transformer having technical limitation in respect of restricted loading. This being a policy matter, MGVCL cannot give additional load. Existing power supply to the consumer is from nearby URBAN feeder.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that Government has allowed poultry Farm in agricultural land for the poultry activity as per terms and condition of Government resolution. For agricultural land, Government has allowed only Ag-DOM feeder which caters 3 phase power supply for only 8 hours per day and for the rest period, single phase power supply through SDT being catered for farming activities. The SDT has limited capacity so looking to this technical constrain; single phase load

more than 3 KW per connection cannot be catered. Existing 3 phase connection was given in Sept. 2010 I.e. before issue of circular dated 23.12.2012. It is getting power supply from urban feeder. There is no restriction of loading on URBAN feeder.

In view of the above discussion, the Forum is of the opinion that there is a restriction of loading on AG-DOM feeder to cater 24 hrs power supply either three phase or single phase but no restriction on URBAN feeder. Existing supply is from URBAN feeder already given in past therefore considering as a special case, additional load as demanded by the consumer can be given from existing feeder.

ORDER

The Forum directs the Madhya Gujarat Vij Company Limited to process to give additional load to Memunaben Yakubhai Vahora, Aabad Poultry Farm NH No.8, Gamdi C 56483, Anand as demanded for their poultry farm activity only.

(Medha M Marathe)
Technical Member

(Harsha S Chauhan)
Independent Member

(P J Patel)
Chairperson

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach The Staff Officer, Office of the Electricity Ombudsman, Gujarat Electricity Regulatory Commission, Barrack No.3, Polytechnic Compound, Ambawadi, Ahmedabad 380 015 in accordance with Chapter-5, Clause No.13 of GERC Notification No.4 of 2005.

Procedure to make representations before Ombudsman***

1. Representation should be in writing duly signed by the complainant with his name and address.
2. Representation should be supported with affidavit.
3. True copy of order of Forum and original complaint made before Forum should be attached. Enclosed documents should be certified copies of the original documents.
4. The representation before Ombudsman should be submitted within 30 days from the date of order of Forum.
5. Copy of representation should be submitted at the office of Ombudsman. Copy of representation should be submitted to all respondents.
6. If the complainant is required to pay any amount according to the order of Forum, one-third of such amount should be deposited by complainant and proofs should be attached along with the representation.
7. The matter should not be pending before the competent Forum or any other court, tribunal, arbitrator or any other authority.
8. All representations should be with a sufficient cause, reasonable diligence causing the consumer prima facie loss and damages / inconvenience.
9. Representation may be submitted in English or Gujarati language